

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: **Sheldon, et al.**

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Group Art Unit: **2163**

Serial No.: **10/761,029**

Filing Date: **January 19, 2004**

Examiner: **Kindred, Alford W.**

Title: **Method and System for
Transforming Multiple
Alternative Equality Conditions**

Attorney, Docket No.: **11378**

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Commissioner for Patents

P.O. Box 1450

Alexandria, Virginia 22313-1450

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/Howard L. Speight/ Reg. No. 37,733
Howard L. Speight

DATE OF SUBMISSION: **SEPTEMBER 13, 2007**
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PRE-APPEAL BRIEF REQUEST FOR REVIEW

Applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request.

This request is being filed with a notice of appeal.

The review is requested for the reasons stated on the attached sheets.

Respectfully submitted,

/Howard L. Speight/

Howard L. Speight

Reg. No. 37,733

9601 Katy Freeway

Suite 280

Houston, Texas 77024

Telephone: (713) 881-9600

Facsimile: (713) 715-7384

E-Mail: howard@hspeight.com

Reasons for Review

Claims 1-27 are pending and stand rejected. A Final Office Action issued on June 13, 2007. Applicant responded on August 13, 2007. An Advisory Action issued on August 16, 2007.

1. The Goel reference does not teach or suggest identifying one or more groups of consecutive values in a set.

The Final Office Action rejected claim 1-27 under 35 USC 102(b) as being anticipated by Goel et al., United States Patent No. 5,960,427.

Goel does not teach or suggest identifying one or more groups of consecutive values in a set, where the set is a set of values in a query, as required by independent claims 1, 10, and 19. Applicant can find no mention anywhere in Goel of identifying one or more groups of consecutive values in a set. The GROUPBY construct of SQL described in Goel does not perform this function. The GROUPBY construct “accepts as its argument a relation r and produces a new relation according to the subscripts X and f(Y).” Goel, col. 5, lines 52-55. “The subscript X specifies the attributes referenced in the GROUPBY statement.” Goel, col. 5, lines 56-57. “The subscript f(Y) specifies the aggregation (if present).” Goel, col. 5, line 63. Goel does not mention “consecutive values” in its discussion of the GROUPBY construct. Thus, Goel’s GROUPBY construct does not teach or suggest identifying one or more groups of consecutive values.

The Advisory Action argues that “Goel teaches ONE group of value in the set. Therefore, Goel’s Group by construct does teach identifying on group of value (col. 5, line 63, 52-57).” The Advisory Action does not suggest that Goel identifies groups of consecutive values in a set, likely because Goel does not perform that function.

2. Goel does not teach or suggest removing equality conditions corresponding to the values in one or more of the identified groups and adding one or more inequality conditions corresponding to the one or more of the identified groups

Goel does not teach or suggest removing equality conditions corresponding to the values in one or more of the identified groups and adding one or more inequality conditions corresponding to the one or more of the identified groups, as required by independent claims 1, 10, and 19. While Goel describes “pruning away redundant sub-expressions and . . . converting expensive binary operations to in-expensive binary operations,” col. 13, lines 25-28, this is not the same thing as removing equality conditions corresponding to the values in one or more of the identified groups and adding one or more inequality conditions corresponding to the one or more of the identified groups. In particular, the removed equality conditions in claims 1, 10, and 19 are not “redundant.”

Further, the Final Office Action did not demonstrate that removing the equality conditions and adding one or more inequality conditions in claims 1, 10, and 19 is the same thing as Goel’s converting expensive binary operations to in-expensive binary operations. Still further,

Goel's discussion of "'Dam' destruction" in col. 13, lines 33-45 does not provide these elements. The Final Office Action has not demonstrated that any of the techniques for "break[ing]-down firewalls" described in Goel at col. 13, lines 33-45 is the same as removing equality conditions corresponding to the values in one or more of the identified groups and adding one or more inequality conditions corresponding to the one or more of the identified groups, as required by independent claims 1, 10, and 19.

The Advisory Action argued "[f]urther, Goels does tech of 'pruning away redundant sub-expression . . . binary operations' read on Applicant's claim language regarding removing equality conditions corresponding to the values to ONE group" which is no argument at all. The Advisory Action did not engage Applicant's argument.

3. Conclusion – all claims should be allowed.

Goel does not include at least one element of claims 1, 10, and 19. Applicant respectfully requests that the rejections of claims 1, 10, and 19 and the rejections of all of the dependent claims, be withdrawn.